

Assembly Bill No. 999

CHAPTER 747

An act to add Section 14132.22 to the Welfare and Institutions Code, relating to health care.

[Approved by Governor October 9, 2003. Filed with Secretary of State October 10, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 999, Jerome Horton. Medi-Cal: dental restorative materials.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons.

Existing law includes emergency and essential diagnostic and restorative dental services, and dental prophylaxis cleanings and dental examinations within the scope of benefits that may be provided to eligible recipients under the Medi-Cal program.

This bill would authorize Medi-Cal providers to recommend, after consultation with the beneficiary, and to receive reimbursement for, certain dental restorative materials other than the covered benefit of amalgam.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The Medi-Cal program, which is administered by the State Department of Health Services, has defined a scope of dental benefits that may limit a patient's choice of treatment.

(b) Dentists have an interest in providing patients with all currently available treatment options.

(c) As required by Section 1648.10 of the Business and Professions Code, the Dental Board of California has prepared a dental materials factsheet that is provided to every new patient and to patients of record prior to the performance of dental restoration work and that describes the various dental restorative materials. The patient acknowledges receipt of this factsheet with his or her signature. Additionally, the dentist needs to provide this factsheet only once to each patient unless the factsheet is subsequently revised.

(d) According to the Dental Board of California, the factsheet is intended to accomplish both of the following goals:



(1) Encourage discussion between patient and dentist about the selection of dental restorative materials best suited for the patient's dental needs.

(2) Demonstrate that dental professionals and the public are concerned about the safety of dental treatment and any potential health risks that are associated with the materials used to restore teeth.

(e) If a dentist, in consultation with the patient, determines that a treatment option not included in the benefits of the Denti-Cal program is within the standard of care, the dentist should have the choice of providing that treatment.

(f) The Dental Board of California enacted a resolution urging state policies that give low-income consumers the same choices in dental restorative materials as those enjoyed by all other consumers.

SEC. 2. Section 14132.22 is added to the Welfare and Institutions Code, to read:

14132.22. (a) For purposes of this section, dental restorative materials are limited to composite resin, glass ionomer cement, resin ionomer cement, and amalgam as described on the Dental Board of California's dental materials factsheet.

(b) A provider of services that includes the provision of dental restorative materials to a beneficiary under this chapter may recommend, after consultation with the beneficiary, a dental restorative material other than the covered benefit of amalgam.

(c) A provider may claim and receive the reimbursement rate for an amalgam restoration when using a different dental restorative material.

